VIII. Statement of General Principles of the Bill to Restrain the Solemnisation of Child Marriages in the Mysore State.

It is an admitted fact that physical and moral deterioration is increasing rapidly in India in both men and women with the result that the average duration of life of an individual in India is about 30 years as compared with 50 to 60 years in the West. One of the main causes of such deterioration is, no doubt, the prevailing custom of early marriages among boys and girls of tender age who become parents prematurely and go to an early grave leaving a progeny of weak and ill-developed constitutions unsuited to resist disease and carry on the burden of life. The existence of millions of child-and girl-widows in India also testifies sadly to the enormous drain on the physical energy of boy-husbands who have succumbed to a premature death.

It is, therefore, high time that earnest efforts are made to check the course of this deterioration with a view to build up strong and virile constitutions and prolong life and minimise the number of young widows whose lives are exposed to misery, temptation and ruin.

With this object in view, the Child Marriage Restraint Act, XIX of 1929, otherwise known as the Sarada Act, was passed into law and came into operation from 1st April 1930 in British India according to which the marriageable ages of girls and boys have been raised to 14 and 18, respectively. It is only in the fitness of things that Mysore should follow in its wake and introduce this progressive and beneficial measure into the Mysore State also. Enlightened public opinion in Mysore is quite in favour of it and even in advance of it as disclosed by the resolutions of the Mysore Ladies' Conference which have advocated the raising of the respective marriageable ages to 16 and 21.

In order, however, to make the present measure more acceptable, the marriageable ages have been retained as in the Sarada Act and a further element of popularity has been introduced by providing for the reduction of this age, in the case of girls, to 12 under the orders of the District Magistrate, in cases where either of the parents of the girls expresses a desire for special reasons to see their daughters married during their lifetime, subject to the condition that consummation should take place only after the attainment of 14 years. The period of time within which complaints should

be preferred has been fixed at six months instead of twelve months as in the Sarada Act.

The punishments provided are as follows:—

(1) A male above 18 years and below 21 years marrying a female under 14 years of age is liable to be punished with fine extending to Rs. 1,000.

(2) A male above 21 years marrying a female under 14 years is punishable with simple imprisonment extending to one month or with fine extending to Rs. 1,000 or with both.

(3) The person conducting or directing any child marriage is liable for punishment with simple imprisonment which may extend to one month or with fine which may extend to Rs. 1,000 or with both, unless he had reason to believe that the marriage was not a child marriage.

(4) The parent or guardian who has charge of the minor and does any act to promote the child marriage or permits it to be solemnised or negligently fails to prevent it from being solemnised is also liable to punishment with simple imprisonment which may extend to one month or with fine which may extend to Rs. 1,000 or both provided that no woman shall be punishable with imprisonment. It is also provided that the Mysore Infant Marriage Prevention Regulation, No. X of 1894, shall be repealed after this measure is passed into law.

A Bill to Restrain the Solemnisation of Child Marriages in the Mysore State.

Whereas it is expedient to restrain the solemnisation of Child Marriages in the State, it is hereby enacted as follows:—

Short title, extent and commencement.

(1) (i) This Regulation may be called "The Mysore Child Marriage Restraint Regulation, 193 ."

(ii) It shall extend to the whole of the territories of Mysore.

(iii) It shall come into operation at the expiration of six months from the date of its publication in the official *Gazette*.

Definitions.

(2) In this Regulation, unless there is anything repugnant in the subject or context:—

(*a*) "Child" means a person who, if a male, is under 18 years of age and if a female is under 14 years of age;

(*b*) "Child Marriage" means a marriage to which either of the contracting parties is a child;

(*c*) " Contracting Party " to a marriage means either of the parties whose marriage is thereby solemnised ; and

(*d*) " Minor " means a person of either sex who is under 18 years of age.

Punishment for male adult below 21 years of age marrying a child.

(3) Whoever, being a male above 18 years of age and below 21, contracts a child marriage, shall be punishable with fine which may extend to Rs. 1,000.

Punishment for male adult above 21 years of age marrying a child.

(4) Whoever, being a male above 21 years of age contracts a child marriage, shall be punishable with simple imprisonment which may extend to one month or with fine which may extend to Rs. 1,000 or with both.

Punishment for solemnising a child marriage.

(5) Whoever, performs, conducts or directs any child marriage, shall be punishable with simple imprisonment which may extend to one month or with fine which may extend to Rs. 1,000 or with both, unless he proves that he had reason to believe that the marriage was not a child marriage.

Punishment for parent or guardian concerned in a child marriage.

(6) (*a*) (i) Where a minor contracts a child marriage, any person having charge of the minor, whether as parent or guardian or in any other capacity, lawful or unlawful, who does any act to promote the marriage or permits it to be solemnised, or negligently fails to prevent it from being solemnised, shall be punishable with simple imprisonment which may extend to one month or with fine which may extend to Rs. 1,000 or with both, provided that no woman shall be punishable with imprisonment.

(ii) For the purpose of this section, it shall be presumed, unless and until the contrary is proved, that, where a minor has contracted a child marriage, the person having charge of such minor has negligently failed to prevent the marriage from being solemnised.

Permission for marriage of girl under 14 and above 12.

(*b*) The marriage of a girl who is under 14 years of age and above 12 shall be valid if her parent or guardian obtains the sanction from the principal court of civil jurisdiction upon an application stating the circumstances under which he is compelled to solemnise the marriage.

(7) Notwithstanding anything containing in Section 25 of the General Clauses Regulation of 1899, or Section 64 of the Indian Penal Code, as in force in Mysore, a court sentencing an offender under Section 3 shall not be competent to direct that, in default of payment of the fine imposed, he shall undergo any term of imprisonment.

Imprisonment not to be awarded for offences under Section 3.

(8) Notwithstanding anything contained in Section 190 of the Code of Criminal Procedure (Regulation II of 1904), no court other than that of a District Magistrate shall take cognisance of, or try, any offence under this Regulation.

Jurisdiction under this Regulation.

(9) No court shall take cognisance of any offence under this Regulation save upon complaint made within six months of the solemnisation of the marriage in respect of which the offence is alleged to have been committed.

Mode of taking cognisance of offences.

(10) The court taking cognisance of an offence under this Regulation shall, unless it dismisses the complaint under Section 203 of the Code of Criminal Procedure, 1904, either itself make an inquiry under Section 202 of that code or direct a magistrate of the first class subordinate to it, to make such inquiry.

Preliminary inquiries into offences under this Regulation.

(11) (i) At any time after examining the complaint and before issuing process for compelling the attendance of the accused, the court shall, except for reasons to be recorded in writing require the complainant to execute a bond, with or without sureties, for a sum not exceeding Rs. 100 as security for the payment of any compensation which the complainant may be directed to pay under Section 250 of the Code of Criminal Procedure, 1904, and if such security is not furnished within such reasonable time as the court may fix, the complaint shall be dismissed.

Power to take security from complainant.

(ii) A bond taken under this section shall be deemed to be a bond taken under the Code of Criminal Procedure, 1904, and Chapter XLII of that code shall apply accordingly.

(12) The Mysore Infant Marriage Prevention Regulation, No. X of 1894, is hereby repealed.

Repeal of the Mysore Infant Marriage Prevention Regulation, No. X of 1894.

Statement of Objects and Reasons.

The object of this Bill is, by restraining and then eventually preventing the marriages of girls below 14 years of age, to put a stop to such girls becoming widows, and secondly, by laying down the minimum marriageable ages of boys and girls, to prevent, so far as may be, their physical and moral deterioration—because marriages in early age offer a principal obstacle to physical and mental development in both the sexes.

The Child Marriage Restraint Act, XIX of 1929, came into law on the 1st October 1929 and became operative with effect from 1st April 1930 and it is only in the fitness of things that Mysore should follow in its wake and introduce this progressive legislation into this State also. There is reason to believe that public opinion in Mysore does not run counter to the Bill especially when it is remembered that the cultured section of the ladies in Mysore have addressed a communication to Government through the Mysore Ladies' Conference stating it is their considered opinion that they are in favour of legislation even in advance of the Sarada Act and advocating the raising of the marriageable age of girls to 16 and that of boys to 21.

In order, however, to make the Bill more acceptable, the marriageable ages have been retained as in the Sarada Act, *viz.*, 14 and 18, respectively. Provision is also made to reduce this age in the case of girls to 12 under the order of the District Magistrate in cases where either of the parents of the girls express a desire during their lifetime to see their daughters married, but with the reservation that consummation should take place only after the attainment of 14 years. The period of time within which complaints should be preferred is fixed at six months instead of twelve months as provided in the Sarada Act.

Except for these two minor changes, the Bill follows closely the Child Marriage Restraint Act (The Sarada Act, XIX of 1929).

Mr. G. Channappa being absent, Mr. N. V. Narayana Murthi was permitted to explain the general principles of the Bill.

MR. HOSAKOPPA KRISHNA RAO took a preliminary objection saying that no private member could introduce a private legislative measure before this House.

MR. K. T. BHASHYAM IYENGAR suggested that a Government member could say that the Bill to be considered was a private one and that Government did not wish to express any opinion.

MR. B. S. PUTTASWAMY said that the point of order raised by Mr. Hosakoppa Krishna Rao was not tenable. The Bill had been included in the Agenda and placed before the House. The House was in possession of it. As the officers of Government other than the Dewan and the Members of Council were not members of the House according to Standing Orders, and also as the originator of the Bill, Rajasabhabhushana Diwan Bahadur Sir K. P. Puttanna Chetty was not a member of the House, any member of the House could introduce it.

MR. HOSAKOPPA KRISHNA RAO replied that he raised no point of order but that he only observed that, according to the usual practice, it was only the Government that could explain the principles involved in any Bill and that in accordance with that practice, it was open to any Government member to say that the statement circulated to the members of the House was at the initiative of a private member and that it may be discussed. The formal introduction of the measure was only before the other House.

THE DEWAN agreed that the members could express their views on the measure.

MR. N. V. NARAYANA MURTHI thereupon observed at the outset that the first point to be considered was who the originator of the Bill was, what respect he commanded in the society in general, and what prompted him to see a measure like this being brought on the statute book. The originator of the measure was no less a person than Rajasabhabhushana Diwan Bahadur Sir K. P. Puttanna Chetty who was much respected by all classes of people alike. He was a venerable old man of Mysore. He served the State in various capacities for a long number of years. He very freely mixed with all classes of people, the old and the young, and came to know that the social structure of the society was defective in certain respects. One such defect was the prevalence of child-marriages which caused physical and moral degeneracy in the younger generation. The degeneracy increased rapidly in both men and women with the result that the average duration of life of an individual was

very short compared with that in the Western countries. Boys of tender age became parents prematurely and went to an early grave, leaving behind them a weak progeny and ill-developed constitutions unsuited to resist disease and to carry on the burden of life. It was with a view to remove this pernicious system which was the root cause of the enormous drain on the physical energy of the people that this measure was brought up. The objects underlying the measure were:—

(1) that child marriage should cease,
(2) that early widowhood should be put a stop to, and
(3) that the minimum marriageable age of boys and girls should be fixed.

The following were some of the objections that might possibly be raised against the measure:—

That the Representative Assembly was not representative of all communities and castes and that it was not competent to commit the country to a measure of this kind.

The speaker said that the House was representative of all communities and castes, as it had been constituted so as to include all interests.

The second objection was that the *shastraic* injunctions were against the system of late marriages. In regard to this, the speaker said that the *shastras* cut both ways. There were authorities both for and against and it was futile to harp upon only *mantrams* which were opposed to the principles of this Bill. If one could only interpret the *mantrams* recited at the marriage occasion, it would be apparent that late marriages alone were referred to there.

Another objection was that, if girls were allowed to married late, there would be a chance of their going astray. This, the speaker said, could not for a moment be accepted, because among most of the communities in the Mysore State, the system of late marriages alone was in vogue and that it was a slur on those communities to suspect their own women-folk. The speaker also said that, in the course of the evidence taken in British India in connection with the Sarada Bill, almost every witness had said that there was no fear of ladies going astray by reason of a measure of this kind.

The next objection levelled against the measure was that, unless girls were married before puberty, they would not have attachment to their husbands. Such an argument, he said, would lose all its force for the reasons mentioned in connection with the previous objection. But the most

puerile objection that was sometimes levelled was that by introducing legislation of this kind, Government wanted to raise their income by levying fines on those contravening the provisions of the Bill. The speaker said that there was already the Infant Marriage Prevention Regulation in force in Mysore and no hardships to the people had been specifically brought to notice. After all, the offence under the present Bill was non-cognisable and there was no fear of any harassment to the people.

The speaker also pointed out that very eminent doctors were of opinion that the system of early marriages prevalent in India was a blot on the fair name of the country and that it should be obliterated as early as possible.

The Bill was evidently designed to meet a long-felt want in the interests of all communities and the speaker hoped that the Assembly would unanimously accept the principles embodied in it.

Mr. H. R. T. Rajagopala Mudaliar opposed the measure on the following grounds :—

Statistics of communities among whom child marriages were prevalent at present and of the havoc, if any, wrought by that system had not been given.

The particular advantages of a measure like this had not been amply stated.

The child marriage system was in vogue only in a few communities, and in a great majority of the communities late marriages were prevalent. So the people affected were only negligibly few and to prevent the system in vogue among them, no legislation of this kind but propaganda work was desirable.

If a similar Act had been passed in British India, there was no reason why Mysore should copy it. The conditions there were vastly different from those in Mysore.

Next, it could not be said that the police would not interfere with the liberties of the people if a measure of this kind was introduced in Mysore. There would surely be instances of self-respect of persons being wounded and personal liberty and liberty of action being curtailed and checked on even frivolous complaints made against marriages celebrated in accordance with the law.

Lastly, it was not justifiable to do a thing much against the wishes and cherished sentiments of the communities affected.

Mr. Siddhanti Shama Sastry in a vigorous speech opposed the measure. He refuted the arguments advanced

by Mr. N. V. Narayana Murthi by profusely quoting the injunctions of the *shastras* and explaining them in detail. His main arguments were :—

(1) Early marriage was considered as a sacred duty to be discharged by a Hindu and the sacramental character of it should not be interfered with by the Government of H. H. the Maharaja who was reputed to be the upholder of *vaidik dharma*. The system was confined to only a few communities and did not affect the other communities.

(2) Among the Hindus following the path of *vaidik dharma* handed down from time immemorial, innumerable instances were not wanting to show that children, born of wedlock of parents married between 8 and 11, possessed very strong bodily constitution, strong intellect and longevity. Therefore, the sweeping characterisation that the offspring of parents who married early possessed generally very weak constitution succumbing to premature death, was without foundation.

(3) According to the *vaidik dharma*, marriage and consummation were not one and the same function to be performed at one and the same time. The *dharmasastras* clearly enjoined that girls should be married at an early age of 8 to 11 years and that the couple could live together as husband and wife only after the girl had attained puberty. Neither the Government nor the mover and his supporters had given statistics to show that early marriage alone was responsible for widowhood and that there were no widows among those that were married after puberty.

(4) The *smrithis* were laid down by divine sages in times out of memory and were not the mischievous creations of a few individual *smrithikaras*, as sometimes stated. Having an ancient tradition, they should not be interfered with, while their true significance should first be understood and assimilated before venturing to pass a measure like the one under consideration.

(5) Unlike the conditions in the West, in the tropical climate of India, girls come to maturity before they reach their 14th year. If this were not so, there was no objection to the measure. But it had been clearly and specifically stated that among the Brahmins there should be no post-puberty marriage. The *smrithikaras* had condemned post-puberty marriage among the Brahmins. Hence the proposed legislation is opposed to the *shastras*.

(6) Even if the *shrutis* and the *smrithis* could not be relied upon, at least the *Vedas* had to be relied upon. But

even in the *Vedas*, there was nothing to show that there should be post-puberty marriage. The *mantrams* had been misinterpreted to suit the ends of particular arguments.

(7) If it is said that the paths laid down in the *shrutis*, the *smrithis* and the *Vedas* should be slightly diverted from to suit the present day conditions of society, it may as well be said that there need be absolutely no necessity for having marriages by rituals only. Any male, out of his sweet will and pleasure, may join with a woman and pass on days merrily. And even the Hindu Law and the provisions in the Penal Code might all be done away with.

(8) Eminent doctors of the West did not say emphatically that early marriages prejudicially affected the health of the people. On the other hand, they have, in unequivocal terms, not only favoured early marriages but also condemned late marriages.

On these grounds, he appealed to the House not to give its support to the measure under consideration. He requested the Government also not to lend its support to the measure but to see that the flag "*Satyamevoddharamyaham*" flies for ever in the *dharmarajya* of Mysore.

Mr. K. Ibrahim Khan also opposed the measure on the following main grounds:—

(1) Lot of personal inconveniences and curtailment of liberty of action would result from the passing of the measure under consideration. According to the Bill, if a girl had to be married at her twelfth year, an order from the District Magistrate should first be obtained. But this would not be easily obtained. The age of the girl would have to be proved by evidence and perhaps by personal inspection. Examination by a doctor would be necessary. All these kinds of harassment would be inevitable in addition to wounding the self-respect of the people.

(2) Further, there were other ways also by which the parents could be put to considerable hardship. It was needless to say that in rural parts where there were factions, one faction would present petitions against the celebration of marriage by the members of the opposite faction even in the case of regular marriages, with the result that, not a little worry would be caused thereby. Hence, the measure would in no way be beneficial to the communities.

(3) If the idea was that there should be well-developed progeny, the marriageable age might as well be fixed at 20 in the case of girls and 40 in the case of men instead of the limits fixed in the Bill.

(4) The measure would wound the religious susceptibilities and sentiments of certain communities.

(5) If late marriages were prevalent in foreign countries, there was no reason why that system should be introduced here also. There the people were well educated and had advanced notions. But here the people were not so well educated. Naturally they had no advanced notions and ideas. When that stage was reached, of their own accord they would take to late marriages. Hence interference by means of legislation was uncalled for.

(6) The *gosha* women among the Mussalmans would be compelled to cast off the *purdah* as a result of passing this measure.

On these grounds, he appealed to the House not to accept the measure.

MR. B. USMON KHAN thought that the Bill should not have been brought up when the Infant Marriage Prevention Regulation was still in force. He would have appreciated a measure of this kind if that Regulation had been repealed. Secondly, the Hindu communities among whom early marriages were in vogue were few in number—probably the Brahmin and the Vaisya communities only. In regard to the Brahmins, there were very learned *pandits* among them and when all these *pandits* did not see the need for a legislation of the kind proposed, he did not see why Sir Puttanna Chetty should have taken upon himself the unpleasant, at the same time needless, duty of introducing a law like this. Thirdly, the Bill, if passed into law, would expose many orthodox people to unnecessary interference and harassment from the police and the magistracy. Fourthly, the Government had its own financial handicaps, and if this Bill became law and prosecutions were to be instituted, they would have to provide additional courts at considerable expense which they could ill afford. Fifthly, the system of *gosha* was prevalent among Mahomedans; early marriages were not common in their case; but if some mischievous man made a false complaint that a young girl was being married in a Mahomedan family, the police would at once interfere and offend against the practice of *gosha*; the parties would be tossed about from their houses to the police stations and courts of law and the enthusiasm connected with the marriage would give place to the discomfitures of police intervention and to wasteful kinds of expenditure. Sixthly, thanks to the liberal provision made by Government for education, many boys and girls were receiving higher education and in

a short time, these boys and girls themselves were sure to realize the advantages of late marriage and thus the object of the Bill would be fulfilled even without Government intervention. Lastly, almost all the ancient customs were fast being given up by the people and it would not be desirable to introduce legislative measure, which in effect would put an end to the few customs in vogue.

MR. S. VISVESVARA RAO, in further opposing the measure, said that the Bill did not very well fit in with another Bill included in the Agenda, *viz.*, the one for the suppression of prostitution in the State. Besides, the system of early marriages was prevalent only among a few minority communities and it was not right for the majority communities to pass the Bill and interfere with the customs of the others. And even if the Bill was passed into law, the Hindu *dharmasastra* would have greater force in the case of orthodox Hindus. Hindu law made due provision for ancient customs. Under that law, marriage was a religious ceremony which must be celebrated at a particular age of the girl, and the Bill, which required that the marriage should not be celebrated unless the girl was 14 years of age, did not clearly define whether marriage meant consummation or betrothal. Whatever that be, marriage had to be celebrated at particular ages under the Hindu law, and the right of succession to property under that law was only conceded to the off-spring of man and wife married according to *shastras*. If this Bill was passed and if, by some chance, an unmarried woman got a son, what kind of right to succession were the Government going to concede to him? Such difficulties might crop up in large numbers if the ancient custom was once meddled with. Ancient customs were the priceless treasure of Indians and it would be a sad mistake to interfere with them and create complications. Again, the number of school and college-going boys and girls being on the increase, they would get many opportunities in parks, cinemas and theatres to freely mix with each other in an irresponsible manner and fall a prey to common temptations in case marriage was postponed indefinitely. Again, even the Penal Code provided for " marriage by consent " provided the girl was over 12 years of age; such being the case, the present Bill, which sought to prevent marriages before 14 years of age in the case of girls, was quite unnecessary, inconsistent and uncalled for.

MR. W. H. HANUMANTHAPPA strongly supported the measure. He appealed to the House to sink all differences

and readily fall in with the authors of the Bill who had proposed it with the benevolent intention that the country as a whole should prosper. There was no use in merely quoting verses from the *shastras* and blindly following ancient customs. There was no harm in adhering to custom provided suitable adjustments were made from time to time, just as many other laws were being amended from time to time according to necessity. Much was made of *Dharma-shastras*; these, after all, were meant for the common good of the people at large. The Bill under discussion was based on the Sarada Act which had been introduced by one of the most earnest adherents to *shastras*. It would make for the physical welfare of posterity if the Bill was passed and boys and girls were made to safeguard celibacy as long as possible. Many texts on *Ayurveda* provided for marriages at 16 years of age in the case of girls, and why should there be objections if they could be married even at 14? This was an improvement which had received support from great personages like Swami Dayananda Saraswathi, Raja Ram Mohan Roy, Mahatma Gandhi and Pandit Madan Mohan Malaviyaji. This, the speaker said, was a matter in which Government had to act boldly. It was not a case, as was alleged by some of the previous speakers, of the majority communities tyrannising over the minority communities. It was a case, on the other hand, of the minority communities lacking courage and therefore of the majority communities having to compel them to improve themselves, and it was up to every member of the Assembly to lend whole-hearted support to the Bill.

MR. M. NANJAPPA said that from practical experience he had found that early marriages were not advisable. Every tree or plant, the fruit of which was plucked prematurely, had an early death and every tree from which only ripe fruit was removed lived long. Human life being no different from plant life, the same analogy held good and it was advisable to put a stop to early marriages on this account. Early marriages were of recent origin and their effect was that a majority of boys and girls were very weak in physique and death-rate was on the increase. The member was not in favour of granting exemptions to any community from the operation of the law relating to prevention of early marriages.

MR. R. GOPALASWAMY IYER said that the *Manu Dharma-shastra* was all right for ancient times but not for the present; he thought that Manu himself would have revised his injunctions had he been alive now. Early marriages had rendered

many young girls widows and they had to deny themselves all the pleasures and comforts of life. That was because the *shastras* had been laid down by man, who in his selfishness, had assumed an air of ill-becoming superiority. The speaker fancied that if only the woman had laid down the *shastras*, she might have done likewise and placed men in the unenviable position which had actually been allotted to her. He therefore felt that *shastras* should not be depended upon too much. He was aware of many a departure from *shastraic* injunctions on the part of members of orthodox communities, and these individuals sought pardon for each departure by undergoing *prayaschitta* of various kinds and he did not see any objection to the same communities agreeing to late marriages, seeking appeasement, if necessary, by similar offerings. As regards Government interference which some of the members seemed to resent, he said that when a large number of persons were erring, such interference was quite justifiable. After all, the wearer knew where the shoe pinched and women, on whom devolved the responsibility of housekeeping, were everywhere asking for a reform of the kind under discussion. Ladies' conferences had been held in large numbers and resolutions in favour of the reform passed. Not to grant it would be a poor type of chivalry. It was better to grant it before they themselves wrested the reform from the legislature. Change meant progress and it was desirable in the matter of marriage also. That would be in keeping with other social reforms which the country had been adopting; and it would result in improving the physique of future generations. There would be no unnecessary inconvenience caused to any community if this Bill was passed and it was the duty of the Assembly to unanimously support it.

Mr. K. T. Bhashyam Iyengar, while not opposing the broad principle of the measure that there should be some reform in the marriageable age of girls, said that a penal Bill of the kind before the House was not called for unless there were distinct advantages to be gained thereby. He thought that early marriages were not responsible for all the evils complained of in the course of the debate. There were some disadvantages, no doubt, but post-puberty marriages also had their evils. It was unnecessary for Government to interfere in social and religious matters as that would be resented as an undue restraint upon the individual liberties of people. Even the best supporters of the measure were not in a position to say that this legislation was absolutely

necessary; and it was not right to legislate simply because it was desirable. After all, to what extent could widowhood be reduced even if the Bill were passed? The census figures showed that there were about 6 lakhs of widows in the State, of whom those below 14 years of age were about 2,000. Most of these belonged to communities which provided for re-marriage. It was only among Brahmins and Vaisyas that re-marriage was not permitted, and the number of widows belonging to these communities was about 125. Was it worth while, the member asked, legislating for the whole State on account of 125 individuals? In trying to do good for a few, why make a law which would expose thousands of people to heavy sentences of fine and imprisonment? There was no sense of proportion in a thing like that. In fact, the existing practice was in a way better than the proposed law; because, if a girl who became a widow was 14 years of age or less, she had at least her father's house to shelter her; if she was in her husband's house for some years and then became a widow, it was possible that she might lose support on either side.

The Bill sought to prevent marriages in the case of girls of less than 14 years of age. But the speaker did not know the sanctity attached to the figure 14. If a girl was unfit for marriage at the end of 13 years, what made the legislators feel that she suddenly became fit at the beginning of 14? And how could a child of a 14-year old mother be very much better than a child of a 13-year old mother? It was true that the average duration of life in Western countries was higher than in India, but the reason for it lay in the fact that Indians had not enough to eat. This, coupled with the bad habits that modern civilization had given scope for, was responsible for the deplorable state of affairs in India. Men had given up manly avocations and women had also taken to easy modes of life. Just as physical development could not be guaranteed by raising the marriageable age of girls to 14, mental development could also not be guaranteed. He warned the country against the delusion that its prestige would rise among the comity of nations by merely passing the Bill. What the country needed was legislation in other directions like legalising widow re-marriages. At any rate, the marriageable age had best be decided by the parents of the boys and girls concerned; and why should Sir K. P. Puttanna Chetty or the Government presume to safeguard the interests of those individuals?

In the next place, early marriages were prevalent only among 3 lakhs of people. Such being the case, the member asked why it was that the State was so poor in physique when 57 lakhs of other people had not fallen prey to that much abused custom? However that be, why should these 57 lakhs of people compel the remaining 3 lakhs to do exactly as they did? That would be tantamount to majority communities tyrannising the minorities. This was not a matter for compulsion and a legislation of this kind would offend against accepted principles of jurisprudence. India was strenuously fighting for self-government and she would deserve it only when she was prepared to respect liberty of action on the part of individuals.

Again, the powers exercised by the police were already too extensive; and if this Bill were passed, still more extensive powers would be vested in them and many innocent persons would be exposed to untold misery and expense. Innocence could only be established at a later stage and these would have first to undergo all the worry and trouble.

It had been stated by an earlier speaker that great personages like Mahatma Gandhi had deprecated early marriages. It was necessary to remember in this connection that what they deprecated was the practice of infant marriages which were so prevalent in Gujerat, the Punjab and elsewhere.

Another fact to be borne in mind was that even though the system of early marriage was ostensibly in vogue, post-puberty marriages were fast increasing. People were thus falling in with advanced views and it was therefore needless to legislate in the matter.

Lastly, in matters of this kind, greater results could be achieved by kind words and sweet persuasion than by stern legislation and rigid compulsion.

For these reasons, the member opposed the proposed measure.

CAPT. Y. V. AYYA welcomed the measure. He thought it might have been better if the marriageable age of boys had been fixed at 21 instead of at 18. But even as it was, the Bill would make for physical and mental development of future generations and it should for that reason be supported by one and all.

With reference to the observation of one of the previous speakers to the effect that postponement of marriages would result in moral lapses, he said that such an opinion was erroneous because even among the communities which held

only to post-puberty marriages, unmarried girls had never sacrificed their chastity. On the other hand, postponement of marriage up to a stage when the bride would be able to judge for herself whether a particular man would be a suitable match to her, would make for happier homes and healthier children.

He did not see why the *shastras* should be made so much of. *Shastras*, after all, were laws; just as in the case of other laws, necessary changes were called for in the law relating to marriage also.

It might be that there were very few widows under the age of 14, and that the system of early marriage prevailed among only a few minority communities. Even then, it was the duty of the legislature and of the Government to compel even the minority communities to fall in with measures meant for the common good of the people as a whole. Such a step will be for their own good also and such compulsion will not be deemed to be due to any bad motive.

MR. H. C. DASAPPA said that there was no new principle involved in the measure under discussion. The Infant Marriages Prevention Act already contained a section to the effect that no man of 50 years of age or more should marry a girl of less than 14 years. The present Bill also prescribed the same age in the case of girls. In the case of boys, if the figure 18 were substituted for 50 in that Act, the object of the present Bill would as well be fulfilled. There was therefore no justification for all the opposition that was being offered to the Bill. It did not seek to place any new restriction on marriages.

He said he was unable to see eye to eye with Mr. Bhashyam Iyengar in his opposition to a reform like this. Mr. Bhashyam Iyengar himself had introduced a Bill for raising the legal status of women in the State and had established for himself a title to be called the Manu of the present age. It was hardly consistent with his generous spirit that he should oppose the Bill under discussion.

He thought that it was a fallacy to say that there were only 125 widows under 14 years of age. It might be that the number of widows now over that age was 125, but many more must have become widows when under 14 and now older than that. They were really several thousands in number.

It was said that the Bill would adversely affect the Brahmins, Vaisyas and Mahomedans. But among the Mahomedans, there was no compulsion that girls should be

married before a particular age. Contractual relationship was of course permitted among them, and every individual after coming of age had the option of choosing his or her own partner in life. So they would have no reasonable cause for complaint if this Bill was passed.

So long as the system of post-puberty marriages was common among the Vokkaligar community, the offspring were quite strong and healthy. But in recent years, the example of the Brahmin community was copied by many Vokkaligars, with the result that the offspring were becoming very poor in body and mind. Such a state of affairs could no longer be tolerated. It was not a case of tyranny by the majority communities over the minority communities. The object of the Bill was that the country as a whole should improve physically and intellectually.

Mr. Bhashyam Iyengar had said that puberty was not heard of until a girl was actually married, whatever her age might be, and that therefore people were falling in line with modern ideas even without a law like the one proposed. But the point to be borne in mind was the amount of worry and expense which the father of the girl would have to put himself to if the girl passed a particular age and till a bridegroom was secured, however unsatisfactory the selection might be. All the evils of a hasty and unsatisfactory marriage could be averted if the Bill was passed.

Another important point to be borne in mind was that all that the Bill sought to do was to restrain marriages of boys and girls before a certain age; but there was absolutely nothing in it to prevent betrothal and the preliminaries connected with marriage before that age.

The member proceeded by saying that, when the Sarada Act was proposed in British India, the Government lent substantial support to it. But the Mysore Government's attitude in the present case was one of disinterested watching. He appealed to the Government to lend similar support to the Bill.

He asked why the Hindu law-givers did not make the system of early marriages applicable to all the communities if it was altogether free from evil. It was not in vogue among so many majority communities, and yet was not womanhood among them preserving chastity and doing credit to India as a whole?

Even in smaller matters governed by the Law of Contract, it was laid down that both the contracting parties should be majors. In the lasting contract of marriage, there-

fore, it was all the more necessary that both bride and bridegroom should have come of age at the time of marriage. And if that was not fully ensured, it was at least desirable to fix the marriageable age of girls at 14 so that every bride could form her own definite ideas about her partner in life. It was most harmful to deal with them as if they were mere dolls. The Bill was sure to make for the country's good and it was the duty of all members of the Assembly to support it unanimously and whole-heartedly.

MR. N. G. SANJEEVIAH said that it was the duty of the Government to legislate in an important matter like this. The evil was spreading from one individual to another and from one community to another. A number of Non-Brahmin communities had copied the system of early marriages from the Brahmins. They had now realised the evils of that system and wanted all communities including the Brahmins to give it up and live happily in the future at least. By passing the Bill, the Assembly would be giving enough time to parents to find suitable brides and bridegrooms. He therefore supported the Bill.

DHARMAPRAKASA RAO BAHADUR D. BANUMIAH observed that early marriages and other bad customs had led to physical breakdown among the bulk of boys and girls and so it was very desirable to pass the bill under discussion.

MR. S. V. HANUMANTHA RAJU said that those who opposed the measure did so on the ground that there was no religious sanction for post-puberty marriages under the *shastras*. That was not so. There were many instances of such marriages in the *Ramayana* and the *Mahabharata* and the *swayamwaras* of Sita, Savitri, Damayanti and Droupadi are but a few instances in point.

It was said by some of the previous speakers that Pandit Madan Mohan Malaviya, Mahatma Gandhi and others supported the Child Marriage Restraint Act in British India because it aimed at putting an end to the system of the cradle marriage which was rampant in Northern India. The speaker said that he could not agree to the statement that the support of those high personages was thus qualified.

Some of the members said that this measure had been brought up by the majority communities with a view to harass the minority communities, *viz.*, the Brahmins and the Viasyas. That was not the object of the measure. It was for the benefit of all the communities in the State. It was true that the Brahmins were a minority community, but the example set by them was being followed by the other communities

with the result that even the majority communities were adopting the system of early marriage. Even among the Brahmins, though the educated men had their own dislike for early marriages, they refrained from taking any bold step in the direction of preventing such marriages owing to the influence of their elders. The result had been that post-puberty marriages were going on stealthily. It was a pity that the system of early marriage had become more prevalent in other communities also. The Government had been kind enough to give scholarships to the students of the backward communities, but they could not get fullest benefit out of them owing to the pernicious system of early marriages.

The speaker, in conclusion, said that the measure was one intended for the benefit of all the communities and expressed the hope that the House would unanimously support it. He also requested the Government to pass it into law and give effect to it as early as possible.

SRIMATI KAMALAMMA H. DASAPPA who spoke next, said that the statement made in the objects and reasons of the measure, *viz.*, that the cultured section of ladies in Mysore were in favour of the legislation, was not correct. She was not aware when the communication referred to therein was sent to Government and by whom. In November last, a Ladies' Conference was held at Davangere, when there was great opposition to a measure of this kind. There was another meeting held at Bangalore in March last, and a number of educated ladies attended it. Even at that meeting, this proposition could not get any support and no resolution could be passed. There would be another meeting of ladies at Mysore on the ensuing Friday and it was not known what decision would be arrived at there. Under these circumstances, to say that the measure had the support of the cultured section of ladies was, to say the least, unfair.

The speaker said that the mere introduction of a measure of the kind proposed would in no way effect any miraculous change in the existing conditions. There were certain deep-rooted ideas in the minds of the people and they should be removed before any real reform could be effected. There was no use putting restrictions on the people. On the other hand, they must be educated by means of propaganda. That would be a better method of bringing about a reform than using force. Before a measure of this kind was passed, it was necessary to see by comparing the statistics whether there was really any preponderance of

child widows and infant mortality in Mysore. After all, late marriage was prevalent among most communities in Mysore. Among the communities in which early marriages were in vogue, *i.e.*, Brahmins and Vaisyas, the average age at which girls were married was 14— just the age fixed under the Bill. Why then should Government interfere in their household affairs? How would raising the age limit to 14, even if it was called for, help matters? Even at that age, a girl would be a child and would not be in a position to exercise her discretion. Her parents should select a husband for her. On the other hand, if the age was raised to 18, that would be a better thing. At that age, girls would be in a position to select their husbands. That would be a courageous step on the part of the Government, if at all they wished to interfere in the matter. Mere raising the age limit would be of no use. On the other hand, it would worsen the situation. For these reasons, Mrs. Kamalamma Dasappa did not think that any useful purpose would be served by the proposed measure.

Continuing, she said that before introducing any new measure, careful thought should be bestowed on it to see what effect it would have on the community as a whole. The Arms Act was passed some time back. What was the effect of it? No one could use arms now. Once a law is introduced restricting the marriage of girls up to a certain age, it could not be easily altered to suit hard cases that would now and then necessarily crop up. Even in England the age of marriage for girls was fixed at 12 under a Statute. Bbt it was not found necessary to amend that law for increasing the age thus fixed. As a matter of common knowledge, in that country girls married whenever they liked. Government should not interfere in such matters. It was a matter for surprise to the speaker, that the District Board Presidents who resented the interference of Government in their affairs should have subscribed to the legislation which interfered with their personal rights and liberties. The number of laws on the Statute Book of any country was no index to the efficiency of the administration. In British India, there are a number of Ordinances. Does it mean that everything is well there? Far from it. Merely because a similar law was in force in the British territory, why should it be introduced into the State also? The members should consider whether in view of the rapid change that was coming over the minds of the people, a measure of the kind proposed was at all necessary in the State.

Under the existing system, she said that a girl marrying at 13 or 14 remained in her parents' house for two or three years before joining her husband. But under the Bill there was the possibility of the husband compelling the girl to live with him forthwith and she would go on bearing children from year to year. That could not be helped. To prevent that, there should be another legislation. It was not wise to pass one legislation after another in respect of social matters and thereby restrict the liberties of the people.

Some members of the House said that because the Brahmins had the system of early marriage, the other communities also adopted it. The speaker did not agree with that view. She asked what would the self-same members say to the habit of drinking which had permeated several classes of people.

Referring to the statement that early marriages tended to premature motherhood, the speaker said that it was not the case. In support of this statement she quoted the following extract from an article under the caption "A study of some vital problems relating to the working class population of Bombay" by S. R. Deshapande:—

> " . . . . . It is seen that the average age of the mother at the birth of her first child is 18·5 . . . . . This figure 18·5 appears somewhat re-assuring in so far as it tends to show that early maternity, which necessarily means an early strain on the mother's health, is not so rampant as is generally thought . . . . ."

The speaker said that in the Brahmin community instances of girls becoming mothers at the age of 12 or 13 was very rare. Just before the passing of the Sarada Act, there were any number of marriages of very young girls throughout British India with a view to escape the law and it was not unlikely that a similar state of things would occur in Mysore also if the proposed Bill was passed.

The last Ladies' Conference at Bangalore fully discussed this measure, in which very enlightened ladies—ladies who had a number of daughters to marry—took part. They said that "Whatever the social laws of the country might be, let them stand outside the compound and not enter the household". Let the opinion of everybody be taken before embarking on legislation. Let there be no force or restriction of liberty. Every reform would come in its own time by the progress of education and enlightenment without the necessity of a legal measure. For instance, at the last Kuruhinasetty Conference, there was a resolution passed to

the effect that widow marriages should be permitted in that community. Similarly other communities should bring about reforms by common consent by means of propaganda and discussions in private conferences. This is not a matter in which Government should interfere.

With these observations, she opposed the general principles of the measure.

SRIMATI SAKAMMA said that as the Bill had been brought up by a gentleman who commanded the respect of one and all in the State by virtue of his old age, public services and worldly experience, it deserved the unanimous support of the House. She said that her own marriage took place in her thirteenth year and when she went to Coorg afterwards, she found that such early marriages were unknown there. In her tours in Mysore she found very young girls had become mothers of one or two children. One of her own relatives was a decrepit at the age of 20. Seeing such things, she had been doing propaganda work to prevent early marriages in her community. But the main obstacle in her way was that many would not give up the practice on the ground that their preceptors, the Brahmins, had such a system. She had been telling them that even the Brahmins had been slowly giving up the system and trying to discourage such marriages. A perceptible improvement had since come about and the community had now gone a step further, *i.e.*, in one of its recent conferences, a resolution was passed to allow even widow marriage.

Continuing, the speaker said that Sir K. P. Puttanna Chetty had brought up the Bill with a very good motive. At present, Brahmin girls were being married at the age of 18 or 19 stealthily. If the proposed measure was passed, it would enable the parents to perform such marriages courageously. It would also enable them to select suitable husbands to their daughters. Even in the *puranas*, there were many instances of post-puberty marriages. Sometimes girls selected their husbands in *swayamwaras*. That meant that they were aged and able to make their choice. By such marriages, they would have healthy children who would be an ornament to the society.

With these remarks, she supported the measure.

MR. GURUSWAMI GOWDA said that this measure was not a new one, but was already in force in British India. Mysore, being a Model State, should have set an example to others by introducing such a law, but in this particular case, it had to copy others. Some people said that the law was

opposed to the liberties of the people. That was not so. Under the existing system of marriage between two parties whose consent would not be taken, there was no liberty at all. There was the dowry system in many communities and that caused great hardship to the parents. They had to marry their daughters in a hurry to prevent their coming of age with the result that sometimes they had to give them away to persons readily available without any choice, and repent for the rest of their lives. The introduction of the proposed measure would give relief to many poor people.

He also said that early marriages were responsible for the large number of widows. The vitality of the present generation was much less than that of the older generation for the self-same reason. In very many cases, early marriages had resulted in intense sufferings.

For these reasons, he supported the measure.

MR. BELUR SRINIVASA IYENGAR said that, among the various measures discussed in the House ever since the reforms were granted by His Highness in 1923, the one under discussion occupied a very important place. He reminded the House that the Government had not taken any initiative in the matter. As the Bill would affect the Brahmins and the Vaisyas who were minority communities, he appealed to the House consisting of representatives of the majority communities to use their votes in such a way as to show their sympathy to the minority communities. As Pundit Malaviyaji once said in the Legislative Assembly, these minority communities carried their own personal law from generation to generation and lived and prospered under it all along. There was no need therefore, at the present time, to change that law all of a sudden. It was contended that weak physique on the part of Indians was in a large measure due to the system of early marriages. But he would ask, if that were so, why in Western countries in which also the system was till recently in vogue, men and women had not suffered in physical and mental development. He would further ask whether there were not in India great men and women who were born of parents who married early and yet exhibited no traces of physical and mental deterioration. In his own opinion, therefore, physical degeneration was not due entirely to the much abused system of early marriage.

It might be, he said, that the British Government supported the Sarada Bill and through their help it was successfully piloted in the Legislative Assembly. But here

in Mysore, the Government had an open mind. Unlike in British India, the Government of the State was a personal Government. The subjects enjoyed the unique advantage of making their grievances and wishes felt by His Highness the Maharaja whose solicitude for the welfare of his subjects in general and for the proper preservation of Brahminical institutions in particular was too well known. It was his earnest hope therefore that His Highness' Government would not support any measure which would prejudice the interests of Brahmins and other minority communities. If at all the Assembly was inclined to undertake social legislation, there were other more important and urgent fields awaiting action in that respect such as, for instance, Temperance.

For these reasons, he appealed to the House not to support the Bill, and to the Dewan not to place it before the Legislative Council even if it be approved by the Assembly.

MR. P. SUBBARAMA CHETTY said that the views expressed by Mr. N. V. Narayana Murthi should not be taken as representing those of the Vaisya community as a whole. Although early marriages prevailed only among Brahmins and Vaisyas, the number of child widows was very small among them compared with that in the other major communities like Lingayets and Vokkaligars. He said that this was clear proof that early marriages were not by themselves the cause of large widowhood. Therefore, any legislation to meddle with the system of early marriage was altogether uncalled for. Even institutions like the *Arya Samaj* and *Sanatana Dharma Bodhini Sabha*, whose only object was to bring about social reform, had not arrived at definite conclusions in respect of early marriages.

He said that the Bill, if passed, would expose many innocent parents to hardship and harassment, if mischievously inclined residents of a place made a complaint to the police that a girl who was actually 14 years of age was below that age. Again, the Bill was defective in that even an old man could marry a girl of 14. In this sense, it went against the spirit of the Infant Marriage Act. The British Indian Act might be justified for the reason that, in Gujerat and certain other provinces, even infants were being married, but in Mysore, there were no such cases and the census figures showed that there were no widows of 8, 10 or 12 years of age. For these reasons, he did not see any justification whatever for a Bill like the one under discussion.

MR. K. VENKATASWAMAIYA said that, in the opinion of the supporters of the Bill, the measure was necessary in the interests of the society as a whole. As against that, those who opposed it did so on the ground that it was an inroad both on individual liberty of subjects and on *shastraic* injunctions. The two communities that would be adversely affected by a legislation like this were the Brahmins and the Vaisyas. So, in case the Bill was necessary to secure the interests of the people at large, it might be passed provided exemption was granted in the case of these two communities which did not want the measure.

MR. T. MARIAPPA was not for attaching too much importance to religious sanctions. When the same question of religious sanction was raised in the Assembly in connection with the amendment of the Hindu law relating to the rights of women, some of the very speakers who opposed the bill on the present occasion spoke against the very same sanctions on the ground of altered conditions of society. It was strange to the speaker that such conflicting views should have been expressed by the same members on different occasions on the same matter. After all, religion was meant to help man to regulate his moral conduct. If a particular injunction was found to be against such a conduct, it was the duty of man to transgress it in the interest of development. Secondly, the duty of the State was to remedy evil wherever found. There was no doubt that early marriages had resulted in physical degeneracy and the seriousness of the situation was only realised after Miss Mayo published her book *Mother India*. Fenner Brockway and other students of social economy had testified to this fact. Great thinkers like Mahatma Gandhi and Pandit Malaviya also realised the need for reform in respect of marriage. It would have the additional advantage of enabling girls to form definite ideas about marriage. From all points of view therefore, the proposed legislation was absolutely necessary. He added that the impression that the measure proposed would expose people to needless harassment from the police was in no way warranted by the provisions of the Bill.

MESSRS. B. GOPALACHAR, V. V. IYER and A. K. VENKATA VARADACHAR were in favour of the legislation in case the Brahmins, Vaisyas and Mahomedans were exempted from its operation.

MR. HOSAKOPPA KRISHNA RAO thought that the question of marriage was both social and religious in nature. From the religious point of view, Government interference

was not called for. As a social problem, it should engage attention by each individual community which was to be affected by the legislation. It was necessary to give time to all communities to go deeply into the question and come to well-considered conclusions. The effect of hasty legislation on the mere basis of a private Bill, would be very serious and it was not desirable that the House should rush it through. There was no doubt that early marriage was a very ancient custom and that it was also beset with certain evils. But it was hardly possible for the Assembly to discover a solution to all those evils in the course of a single day's discussions. All that could be done in the matter at present was to create well-informed public opinion of which there was none at present. The ladies of the State had convened conferences here and there, but even among them there were serious differences of opinion. In a legislation like this, a general concensus of opinion in favour thereof was an absolute desideratum. As there was no such concensus of opinion, he was for deferring the consideration of the measure.

MR. D. S. MALLAPPA was surprised to find that Mr. K. T. Bhashyam Iyengar who himself, as Chairman of the Reception Committee of the Youth Conference held in 1929, had said in strong language that early marriages had brought about woeful results, should oppose this measure. That Conference had also passed a resolution—due in no small measure to the powerful arguments of Mr. Bhashyam Iyengar—to the effect that the Sarada Bill was an urgent necessity.

MR. K. T. BHASHYAM IYENGAR, interrupting, said that he did not ask for Government interference all the same.

Proceeding, MR. D. S. MALLAPPA referred to the medical opinion, generally accepted on all hands, that the proper age for child-bearing was 20. In Mysore, however, girls of 13 and 14 were bringing forth children who were bound to be a burden to one and all concerned. It was not correct to say that ladies' conferences had expressed themselves against legislation in this matter. On the other hand, they were definitely in favour of it and a large number of Brahmins also had lent support to it. That the present practice of early marriage had had very deleterious effects on the community as a whole was a point beyond all doubt, and if the country wanted at least the future generations to consist of strong and healthy individuals, there should be no hesitation in passing the Bill. He had no sympathy with the argument that perfect liberty of action should be allowed in this

respect. In fact, the duty of the State was to pass the law and also to rigidly enforce it. The difficulties anticipated by some of the opponents of the Bill were purely imaginary. To say that post-puberty marriages would lead girls to lapses of character would be a slur on the fair name of Indian womanhood.

For these reasons, he strongly supported the measure.

MR. S. C. MALLIAH, in opposing the Bill, said that there was no guarantee that the evils now attributed to the system of early marriage would stop with the introduction of this measure. Even on the merits of the case, he was not convinced that the large number of widows was due to early marriages only. However that be, people as a whole were guided by religion in such matters, and that was the very virtue that placed the Indians on a much higher pedestal than the people of the West. If the law were passed, it was possible that a parent might have to forego the most suitable and available son-in-law only for the reason that the girl to be married was less than 14. In case the same or an equally suitable son-in-law was not available after the girl had reached her fourteenth year, the member asked who would be responsible for the resulting disappointment to all people concerned. So long as people were not prepared to make radical departure from religious injunctions, there was no need or use in introducing legislations like this.

MR. M. S. LINGE GOWDA appealed to the House to support the Bill. He said that the whole of India was eagerly waiting to see how the Assembly was disposing of this Bill. A similar legislation had been passed in British India without any serious consequences. If the Bill was passed into law in Mysore, there would be no adverse effects on the people here also. Even among the most orthodox communities there had been departures from the path of religious duty, and yet no ex-communications had been heard of. This circumstance proved that even those communities stood in need of certain changes in their practices and it would not be correct therefore to say that the proposed measure would be severely resented by them.

MR. ANANDA RAO said that, as the measure had not the support of all communities, it should not be passed into law. He was of opinion that more than early marriages the conditions of life in India and the food that average Indians eat were responsible for the physical degeneration of the people. People in Afghanistan were more strong and healthy, because they had nutritious food. On the other

hand, owing to their grinding poverty it was difficult for the people in India to get two bare meals per day, and it was no wonder therefore that they were weak.

MR. DHANAKOTI CHETTY pointed out that, even among the Vaisyas, there was difference of opinion in the matter. In one of their conferences, they had resolved that post-puberty marriages should be permitted.

At this stage, the general principles of the Bill were put to vote and *passed*, 98 voting for and 87 against.

The Assembly rose for the day to meet again at 12 Noon the next day.